

03/06/02



jc965 U.S. PTO

03-07-02

PATENT
Attorney Docket No.: CUTLER-06830

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application
Assistant Commissioner For Patents
Washington, D.C. 20231

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of Neal R. Cutler for **Sublingual Administration of Dihydroergotamine For The Treatment Of Migraine**.

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the U.S. Postal Service on this date **March 6, 2002** in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number **EV077557400US** addressed to: **Box Patent Application**, Assistant Commissioner For Patents, Washington, D.C. 20231.

Traci E. Light

Traci E. Light

1. Type Of Application

This new application is for a(n)

☒ Original (nonprovisional)

☒ Continuation-In-Part (C-I-P).

09/899 412

2. Benefit Of Prior U.S. Application(s) (35 U.S.C. §§ 119(e), 120, or 121)

☒ The new application being transmitted claims the benefit of prior U.S. application(s) and enclosed are **ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.**

3. Papers Enclosed That Are Required For Filing Date Under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153 (Design) Application

31 Pages of Specification

2 Pages of Claims

1 Page of Abstract

0 Sheets of Informal Drawings

4. Declaration

☒ Enclosed

☒ Unexecuted.

5. Inventorship Statement

The inventorship for all the claims in this application is:

☒ the same

6. Language

☒ English

7. Assignment

☒ An assignment of the invention to **R.T. Alamo Ventures I, Inc.** is attached.

☒ Form PTO-1595 will follow.

8. Fee Calculation (37 C.F.R. § 1.16)

☒ Regular application

CLAIMS AS FILED

Number Filed	Number Extra	Rate	Basic Fee - \$740.00 (37 C.F.R. § 1.16(a))
Total Claims (37 C.F.R. § 1.16(c))	17 - 20 =	0 × \$18.00 =	\$0.00
Independent Claims (37 C.F.R. § 1.16(b))	1 - 3 =	0 × \$84.00 =	\$0.00
Multiple Dependent Claim(s), if any (37 C.F.R. § 1.16(d))	+ \$280.00 =		\$0.00
Filing Fee Calculation			\$740.00

9. **Small Entity Statement(s)**

☒ Verified Statement(s) that this is a filing by a small entity under 37 C.F.R. §§ 1.9 and 1.27.

Filing Fee Calculation (50% of above) \$370.00

10. **Fee Payment Being Made At This Time**

☒ Enclosed

☒ basic filing fee \$370.00

Total Fees Enclosed \$370.00

11. **Method of Payment of Fees**

☒ Check in the amount of \$370.00

12. **Authorization To Charge Additional Fees and Credit Overpayment**

☒ The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No.: 08-1290. An originally executed duplicate of this transmittal is enclosed for this purpose.

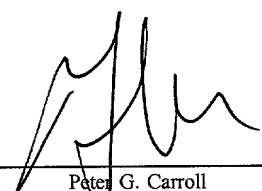
13. **Power of Attorney by Assignee**

☒ Enclosed

14. **Return Receipt Postcard**

☒ Enclosed

Dated: March 6, 2002


Peter G. Carroll
Registration No.: 32,837

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☒ **Incorporation By Reference Of Added Pages**

☒ Plus Added Pages For New Application Transmittal Where Benefit Of Prior U.S. Application(s)
Claimed

Number of pages added 1

ADDED PAGES FOR APPLICATION TRANSMITTAL
WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED

15. Relate Back

A. 35 U.S.C. § 119(e)

B. 35 U.S.C. §§ 120, 121 and 365(c)

☒ Amend the Specification by inserting before the first line the sentence: "This is a Continuation-In-Part of copending application(s) 09/899,412 filed on 07/05/01."

16. Further Inventorship Statement Where Benefit Of Prior Application(s) Claimed

a. This application discloses and claims additional disclosure by amendment and a new declaration or oath is being filed. With respect to the prior application, the inventor(s) in this application are
☒ the same.